

EXH. 21.2

LOCATOR

CONTACT



U.S. Department
of Veterans Affairs

(<http://www.va.gov>)

MENU

VA (<http://www.va.gov/>) » Office of Resolution Management (ORM) (</ORM/Index.asp>) » Harassment Prevention

Office of Resolution Management (ORM)

Harassment Prevention

Office of Resolution Management (ORM)

Harassment Prevention Program (HPP)

"Making your workplace a harassment-free zone"



(<http://bcove.me/ho20kpn6>)

Contact your local Harassment Prevention Coordinator for training details
(See link for list of Coordinators in Resources section below)

Question:

Answer:

What is the
Harassment
Prevention Program
(HPP)?

The Harassment Prevention Program is an enterprise-wide department within the Office of Resolution Management. We provide centralized tracking, monitoring and reporting processes to proactively respond to all allegations of harassment, whether or not accompanied by an EEO claim. We will ensure all harassment allegations are reported to VA leadership outlining prompt corrective measures taken to decrease harassing behavior in the workplace. The HPP is responsible for providing education and awareness training on the harassment program and the reporting process. The HPP is committed to establishing transparency and accountability at every employment level.

Why do we need a Harassment Prevention Program?

VA is committed to creating a culture, rooted in our mission and core values, which engages and inspires employees to their highest possible level of performance and conduct. The Department of Veterans Affairs is also responding to an EEOC mandate to establish enterprise-wide anti-harassment policies and procedures to ensure allegations of harassment receive a prompt, thorough, and impartial investigation; and, that VA takes immediate and appropriate corrective action when it determines harassment has occurred. By doing this, VA can proactively prevent harassing conduct before it becomes severe or pervasive.

How is the HPP different from EEO?

The EEO process is designed to make individuals whole for discrimination that *has already occurred* through damage awards and equitable relief paid by the agency, and to prevent the recurrence of the unlawful discriminatory conduct. However, the EEO process cannot require an agency to discipline its employees. Through the HPP, the anti-harassment process requires that immediate and appropriate corrective actions are taken to eliminate harassing conduct regardless of whether the conduct violated the law or whether an employee pursues an EEO complaint. The HPP will solely focus on taking whatever action is necessary to promptly bring the harassment to an end, or to prevent it from occurring at all.

An employee who believes he or she has been subjected to harassing conduct can report the matter to his or her immediate supervisor (or second-line supervisor in the event the first-line supervisor is the alleged harasser); the Harassment Prevention Coordinator (HPC) for his/her specific staff office or administrative office; or the HPP through the Resolution Support Center (RSC) 1-888-56-NEW VA (1-888-566-3982).

When should I contact the HPP?

Employees notified by another employee that he/she is being harassed, should encourage the harassed employee to take immediate action to stop it by reporting the harassing conduct; and, if an employee actually sees or hears another employee being harassed immediately take the appropriate steps to report the alleged harassment.

Supervisors or managers who observe or are notified of harassing conduct are required to assess the situation immediately and consult with the HPC or the HPP.

➤ Threatening that rejection of sexual overtures will affect appointments, promotions, transfers, or evaluations.

➤ Creating belittling caricatures or objects depicting persons of a particular race, national origin, religion, or other protected category.

➤ Telling racial or ethnic jokes.

➤ Teasing, mimicking, or repeatedly commenting on an individual's disability, accent, or other protected category.

➤ Making offensive comments, jokes or suggestions about an employee's gender.

➤ Making obscene or lewd comments, slurs, jokes, epithets, suggestions, or gestures.

What are some examples of harassment?

➤ Commenting on an employee's body or sexual characteristics.

➤ Displaying nude or sexually suggestive objects, pictures, images, or cartoons.

➤ Continuing prohibited behavior after a coworker has objected.

➤ Laughing at, ignoring, or retaliating against an employee who complains.

Note: The conduct must be unwelcome. Therefore, the perspective of the recipient – i.e., the person subjected to the behavior or the person witnessing the behavior – as to whether the behavior is viewed as offensive, demeaning, or hostile is a primary consideration in determining whether the behavior constitutes harassing conduct.

If I contact the HPP, will my information be kept confidential?

All reports of hostile or abusive conduct and related information will be maintained on a confidential basis to the greatest extent possible. The identity of the employee alleging violations of the Harassment Prevention Policy will be kept confidential except as necessary to conduct an appropriate inquiry into the alleged violations or when otherwise required by law. Anonymous allegations of harassment will be investigated and monitored to the fullest extent possible.

If I contact the HPP can I still file an EEO complaint?

Yes. The harassment prevention procedures do not affect rights under the EEO complaint process. The harassment prevention procedures process is entirely separate and apart from the EEO complaint process. This means that an employee who reports allegations of harassment in accordance with the VA Anti-Harassment Policy has not filed an EEO complaint. An employee who wishes to file a discrimination complaint should contact an EEO counselor at (888) 737-3361 for more information within 45 days of the alleged harassing conduct. An employee may report harassment using the HPP procedures and file an EEO complaint simultaneously.

If I change my mind about going forward with allegations through HPP or EEO, what happens?

The harassment prevention procedures are entirely separate from the EEO complaints process. If an employee chooses to withdraw his or her EEO complaint, the employee can still move forward with the HPP harassment allegation. A harassment allegation reported to the HPP cannot be withdrawn. A harassment inquiry, appropriate corrective actions, and outcome reporting to the HPP are still required by management.

Can I file a report for bullying with the HPP?

Not unless the bullying relates to one of the protected categories. The HPP policy and procedures are not intended to establish a general civility code for the VA. Therefore, petty slights or minor annoyances are not covered. In addition, harassment covered under the HPP policy is limited to the definition and protected categories, such as race, color, religion, age, sex (including gender identity, transgender status, sexual orientation and pregnancy), disability, prior EEO activity, genetic information, national origin, and parental status. If the alleged conduct the employee reports does not meet the definition of harassment under this policy, there are a number of other options the employee may wish to explore to address his or her concerns. The RSC (888) 566-3982 can provide additional information regarding those options.

Is there a point of contact in my office with harassment prevention information and what is his/her role in assisting me with reporting harassment?

Yes. The Harassment Prevention Coordinator (HPC) for your specific office serves as the local Point of Contact (POC) for all allegations of harassing conduct. The HPC will record your allegations and assist managers and supervisors with addressing each allegation. The HPC ensures that prompt and appropriate corrective actions are taken if harassing conduct has occurred. And, the HPC will maintain all harassment records and report inquiry and corrective outcomes to the HPP.

Is there a specific timeline requirement to call the HPP with a harassment complaint?

Management cannot eliminate harassment in the workplace if it does not know it exists. Therefore, it is the employees' responsibility to report harassment as soon as they believe management action is needed. If an employee has made the harasser aware of the unwanted conduct and the harassment persists, employees should report the unwanted behavior immediately.

Can non-VA employees call the HPP?

Veterans, applicants, federal and non-federal employees can call the HPP through the RSC 1-888-566-3982. An RSC Specialist will help callers determine if harassment allegations are covered by VA's anti-harassment policy and procedures, and whether any other avenues exist to address the concerns.

What is the role of managers, supervisors and union?

Managers and supervisors are responsible for maintaining a work environment free of harassment. Managers or supervisors who observe or are made aware of allegations of harassing conduct are required to act promptly, effectively, and in accordance with the VA's anti-harassment policy and procedures to determine the scope of the alleged harassing conduct and take corrective action as appropriate and necessary. The HPP is committed to establishing transparency and accountability at every employment level.

Union officials are responsible for encouraging employees to report harassment and cooperate with the inquiry process; advising employees of their rights based on VA's harassment prevention policy; and reporting harassment as soon as possible.

Where can I get more information about the HPP?

Contact HPP through the RSC at 1-888-56-NEW VA (1-888-566-3982) from 8am - 4:30pm in all time zones.

Resources

(/ORM/docs/HPP%20Flowchart-Final.pdf)
Harassment Prevention Program Flowchart
(/ORM/docs/HPP_Flowchart_May2017.pdf)

What Supervisors Need to Know
(/ORM/docs/What_Supervisors_Need_To_Know3_24_17.pdf)

What HP Coordinators Need to Know
(/ORM/docs/What_HP_coordinators_Need_to_Know3_24_17.pdf)

Training Request Form
(/ORM/docs/HPP_Training_Request.pdf)

What Management & Unions Need to Know
(/ORM/docs/What_Mgt_and_Unions_Need_to_Know3_24_17.pdf)

Harassment Prevention Directive
(Update Coming Soon)

What Employees Need to Know
(/ORM/docs/What_Employees_Need_to_Know3_24_17.pdf)

Contact Us - (888) 566-3982

List of Harassment Prevention Coordinators
(/ORM/docs/Anti_Harassment_Coordinators_List.pdf)

Secretary's Memorandum (/ORM/docs/Anti-Harassment_Secretary_Memorandum.pdf)

RESOLUTION SUPPORT (Coming Soon)

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RESOURCES

En Español (</ORM/indexEsp.asp>)

VA EEO and Whistleblower Policy (<http://www.diversity.va.gov/policy/statement.aspx>)

No FEAR Act Data (/ORM/NoFEAR_Select.asp)

EEO Complaint Processing (</ORM/EEOcomplaint.asp>)

Alternative Dispute Resolution (<http://www.va.gov/adr/>)

Harassment Prevention Office (</ORM/HPP.asp>)

Settlement Agreement Handbook (/ORM/docs/Settlement_Agreement_Handbook.doc)

Settlement Agreement Instructions (/ORM/docs/Settlement_Agreement_Instructions.docx)

EEO Settlement Agreement (/ORM/docs/Settlement_Agreement_EEO.docx)

EEO Settlement Agreement: Non-EEO (/ORM/docs/Settlement_Agreement_NON-EEO.docx)

Resolution Support Center (</ORM/RSC.asp>)

Links and Resources (</ORM/Links.asp>)

ADR Database (Restricted Access) (<https://vaww.adrtracker.va.gov/login.asp>)

Frequently Asked Questions (FAQs) (</ORM/FAQ.asp>)

Contact Us (/orm/Contact_Us.asp)

HR&A RESOURCES

About HR&A (<http://www.va.gov/employee/>)

Veterans Employment Service Office (<http://vaforvets.va.gov/veso/Pages/default.asp>)

VA Learning University (<http://www.valu.va.gov/Home/Index>)

Office of Human Resources Management (<http://www.va.gov/OHRM/>)

Office of Resolution Management (<http://www.va.gov/orm/>)

Office of Labor-Management Relations (<http://www.va.gov/lmr/>)

Office of Diversity and Inclusion (<http://www.diversity.va.gov/>)

Office of Administration (<http://www.va.gov/ofcadmin/>)

Building Diversity (<http://www.diversity.va.gov/>)

ICARE Core Values (<http://www.va.gov/ICARE/>)

HR Academy (<http://www.vahracademy.va.gov>)

Internships (<http://www.va.gov/EMPLOYEE/pathways-internship-program/>)

Pathways at VA (<http://www.va.gov/employee/pathways-va/>)

Training (<https://www.tms.va.gov/>)

Veterans Employment (<http://vaforvets.va.gov/>)

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Subscribe to Receive
Email Updates

Email Address

Benefits:

1-800-827-1000

Health Care:

1-877-222-VETS (8387)

VA Inspector General: 1-800-488-8244

Veterans Crisis Line: 1-800-273-8255 Press 1

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(<http://www.facebook.com/VeteransAffairs>) (<http://twitter.com/VeteransAffairs>) (<http://www.va.gov/blog>) (<http://www.youtube.com/user/DeptOfVeteransAffairs>) (<http://www.flickr.com/photos/DeptOfVeteransAffairs>)

CONNECT

Veterans Crisis Line: (<https://www.veteranscrisisline.net/>)

1-800-273-8255 (tel:+18002738255) (Press 1)

Social Media



(<http://www.facebook.com/VeteransAffairs>) (<http://twitter.com/VeteransAffairs>) (<http://www.va.gov/blog>) (<http://www.youtube.com/user/DeptOfVeteransAffairs>) (<http://www.flickr.com/photos/DeptOfVeteransAffairs>)
Complete Directory (<https://www.va.gov/opa/socialmedia.asp>)